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Attorneys for Defendant Christopher Cool Wilmer

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)
)
Plaintiff,) No. 3:12-CR-00107-BR-1
)
vs.)
CHRISTOPHER COOL WILMER,) PETITION TO ENTER PLEA OF
) GUILTY, CERTIFICATE OF COUNSEL
) AND ORDER ENTERING PLEA
Defendant.)
)

The defendant represents to the court:

1. My name is Christopher Cool Wilmer. I am 29 years old. I have gone to school up to and including the 9th grade, 10 years of formal education.
2. My attorneys are James L. Maher and Lisa J. Ludwig.
3. My attorneys and I have discussed my case fully. I have received a copy of the Indictment or Information. I have read the Indictment, or it has been read to me, and I have discussed it with my attorneys. My attorneys have counseled and advised me concerning the

nature of each charge, any lesser-included offense(s), and the possible defenses that I might have in this case. I have been advised and understand that the elements of the charge(s) alleged against me to which I am pleading "GUILTY" are as follows:

- Count 1: Sex Trafficking of a Minor, "NB", in violation of Title 18, United States Code, Sections 1591(a)(1), (a)(2), (b)(2), and 1594(a) and (c).
- Count 2: Coercion and Enticement of a Minor, "NB", in violation of Title 18 U.S.C. 2422(b).
- Count 3: Transportation of a Minor, "NB", in violation of 18 U.S.C. 2423(a) and 2423(e).
- Count 4: Mann Act violation, "KW", Title 18, United States Code, Section 2421.

I have had a full and adequate opportunity to disclose to my attorneys all facts known to me that relate to my case. I understand that the Court may ask whether I am satisfied with the advice I have received from my attorneys.

4. I know that if I plead "GUILTY," I will have to answer any questions that the judge asks me about the offense(s) to which I am pleading guilty. I also know that if I answer falsely, under oath, and in the presence of my attorneys, my answers could be used against me in a prosecution for perjury or false statement.

5. I am not under the influence of alcohol or drugs. I am not suffering from any injury, illness or disability affecting my thinking or my ability to reason except as follows:

Buspar 3 times per day for treatment of anxiety; Celexa for treatment of clinical depression.

I have not taken any other drugs or medications within the past seven (7) days except as follows: None.

6. I understand that conviction of a crime can result in consequences in addition to imprisonment. Such consequences include deportation, or removal from the United States, or denial of naturalization, if I am not a United States citizen; loss of eligibility to receive

federal benefits; loss of certain civil rights (which may be temporary or permanent depending on applicable state or federal law), such as the right to vote, to hold public office, and to possess a firearm; and loss of the privilege to engage in certain occupations licensed by the state or federal government.

7. I know that I may plead "NOT GUILTY" to any crime charged against me and that I may persist in that plea if it has already been made. I know that if I plead "NOT GUILTY" the Constitution guarantees me:

- a. The right to a speedy and public trial by jury, during which I will be presumed to be innocent unless and until I am proven guilty by the government beyond a reasonable doubt and by the unanimous vote of twelve jurors;
- b. The right to have the assistance of an attorney at all stages of the proceedings;
- c. The right to use the power and process of the court to compel the production of evidence, including the attendance of witnesses in my favor;
- d. The right to see, hear, confront, and cross-examine all witnesses called to testify against me;
- e. The right to decide for myself whether to take the witness stand and testify, and if I decide not to take the witness stand, I understand that no inference of guilt may be drawn from this decision; and,
- f. The right not to be compelled to incriminate myself.

8. I know that if I plead "GUILTY" there will be no trial before either a judge or a jury, and that I will not be able to appeal from the judge's denial of any pretrial motions I may have filed concerning matters or issues not related to the court's jurisdiction.

9. In this case I am pleading "GUILTY" under Rule 11(c)(1)(B) to be as follows:

My plea of guilty is under Rule 11(c)(1)(B); therefore, although the judge will consider the recommendations and agreements of both the prosecution and defense attorneys concerning sentencing, the judge is not obligated to follow those recommendations or agreements. If the

judge imposes a sentence different from what I expected to receive, I do not have a right to withdraw my plea.

10. I know the maximum sentences which can be imposed upon me for the crimes to which I am pleading guilty are as follows:

Count 1: imprisonment for life, a fine of \$250,000, and up to 5 years of supervised release. I am also aware that the mandatory minimum sentence is 10 years, and;

Count 2: imprisonment for life, a fine of \$250,000, and up to 5 years of supervised release. I am also aware that the mandatory minimum sentence is 10 years, and;

Count 3: imprisonment for life, a fine of \$250,000, and up to 5 years of supervised release. I am also aware that the mandatory minimum sentence is 10 years, and;

Count 4: imprisonment for ~~3~~ ¹⁰ years, a fine of \$250,000, and up to ~~1~~ ³ years of supervised release. *Ch*

11. I know that the judge, in addition to any other penalty, will order a special assessment as provided by law in the amount of \$100.00 per conviction.

12. I know that if I am ordered to pay a fine and I willfully refuse to pay that fine, I can be returned to court where the amount of the unpaid balance owed on the fine can be substantially increased by the judge and I can be imprisoned for up to one year.

13. My attorneys have discussed with me the Federal Sentencing Guidelines. I know that the Federal Sentencing Guidelines are advisory, not mandatory. I also know the sentencing judge, in determining the particular sentence to be imposed, must consider those factors set forth in Title 18, United States Code, Section 3553(a), including but not limited to: the nature and circumstance of the offense, my own history and characteristics, the goals of sentencing (punishment, deterrence, protection, and rehabilitation), and the sentencing range established by the advisory Guidelines. If my attorney or any other person has calculated a

Guideline range for me I know that this is only advisory and is only one of the factors that the judge will consider in making a final decision as to what sentence will be imposed. I also know that a judge may not impose a sentence greater than the maximum sentence referred to in Paragraph 10, above.

14. I know from discussion with my attorneys that, under the Federal Sentencing Guidelines, if I am sentenced to prison I am not entitled to parole. I will have to serve the full sentence imposed except for any credit for good behavior that I earn. I can earn credit for good behavior in prison at a rate of up to 47 days for each year of imprisonment served. Credit for good behavior does not apply to a sentence of one year or less.

15. I know that if I am sentenced to prison, the judge will impose a term of supervised release to follow the prison sentence. During my supervised release term I will be supervised by a probation officer according to terms and conditions set by the judge. In my case, Counts 1, 2, and 3 are subject to terms of supervised release up to five (5) years, and Count 4 allows a term up to three (3) years. If I violate the conditions of supervised release, I may be sent back to prison for not more than 5 years on Counts 1, 2 and 3, or not more than 2 years on count 4. [18USC § 3583(e)(3)].

16. I know that in addition to or in lieu of any other penalty, the judge can order restitution payments to any victim of any offense to which I plead guilty. I am also informed that, for certain crimes of violence and crimes involving fraud or deceit, it is mandatory that the judge impose restitution in the full amount of any financial loss or harm caused by an offense. If imposed, the victim can use the order of restitution to obtain a civil judgment lien. A restitution order can be enforced by the United States for up to twenty (20) years from the date of my release from imprisonment, or, if I am not imprisoned, twenty (20) years from the

date of the entry of judgment. If I willfully refuse to pay restitution as ordered, a judge may resentence me to any sentence which could originally have been imposed.

17. On any fine or restitution in an amount of \$2,500 or more, I know that I will be required to pay interest unless that fine or restitution is paid in full within fifteen (15) days from the date of the entry of judgment.

18. If I am on probation, parole, or supervised release in any other state or federal case, I know that by pleading guilty in this court my probation, parole or supervised release may be revoked and I may be required to serve time in that case, which may be consecutive, that is, in addition to any sentence imposed on me in this court.

19. If I have another case pending in any state or federal court, I know that my Petition and Plea Agreement in this case do not, in the absence of an express written agreement, apply to my other case(s), and that I can be faced with consecutive sentences of imprisonment.

20. My plea of "GUILTY" is not based on a Plea Agreement.

21. My plea of "GUILTY" is not the result of force, threat, or intimidation.
I hereby request that the judge accept my plea of "GUILTY" to the following count(s):

- Count 1: Sex Trafficking of a Minor, in violation of Title 18, United States Code, Sections 1591(a)(1), (a)(2), (b)(2), and 1594(a) and (c).
- Count 2: Coercion and Enticement of a Minor, in violation of Title 18 U.S.C. 2422(b).
- Count 3: Transportation of a Minor in violation of 18 U.S.C. 2423(a) and 2423(e).
- Count 4: Mann Act in violation of Title 18, United States Code, Section 2421.

22. I know that the judge must be satisfied that a crime occurred and that I committed that crime before my plea of "GUILTY" can be accepted. With respect to the

charge(s) to which I am pleading guilty, I represent that I did the following acts and that the following facts are true:

With respect to Count 1, on or about January 2012 through about March 2012, within the District of Oregon, I did knowingly, in and affecting interstate Commerce, recruit, harbor, transport, provide, obtain and maintain by any means, NB, and did benefit, financially or by receiving anything of value, from participation in a venture engaged in the recruiting, enticing, harboring, transporting, providing, obtaining, and maintaining by any means a person known as NB, while knowingly and in reckless disregard of the fact that NB was a minor and could be caused to engage in a commercial sex act.

With respect to Count 2, between January 2012 and March 2012, in the District of Oregon, I used a facility and means of Interstate Commerce (internet, road, cell phone) to knowingly persuade, induce, entice and coerce and attempt to do so, a 16 year old (NB) to engage in prostitution.

With respect to Count 3, between January 2012 and February 21, 2012, in the District of Oregon and elsewhere, I, with Latanisha Booker, did knowingly transport and conspire to transport NB, a female under 18, in interstate commerce from Washington State to Oregon, with the intent that NB engage in prostitution.

With respect to count 4, between January 2012 and March 2012, within the District of Oregon, I did knowingly transport KW in interstate commerce from the State of Oregon to the State of Washington, while have the intent that KW engage in prostitution.

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23. I offer my plea of "GUILTY" freely and voluntarily and of my own accord and with a full understanding of the statements set forth in this Petition and in the Certificate of my attorneys that is attached to this Petition.

SIGNED by me in the presence of my attorney, after reading (or having read to me) all of the foregoing pages and paragraphs of this Petition on this 15th day of May, 2013.



Christopher Wilmer, Defendant

CERTIFICATE OF COUNSEL

The undersigned, as attorneys for defendant Christopher Wilmer, hereby certify:

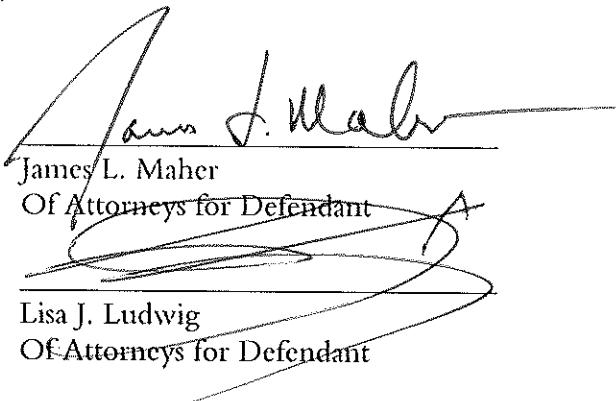
1. We have fully explained to the defendant the allegations contained in the Indictment or Information in this case, any lesser-included offense(s), and the possible defenses which may apply in this case.

2. We have personally examined the attached Petition to Enter Plea of Guilty and Order Entering Plea, explained all its provisions to the defendant, and discussed fully with the defendant all matters described and referred to in the Petition.

3. We have explained to the defendant the maximum penalty and other consequences of entering a plea of guilty described in paragraphs (6)-(23) of the Petition, and I have also explained to the defendant the applicable Federal Sentencing Guidelines.

4. We recommend that the Court accept the defendant's plea of "GUILTY."

SIGNED by us in the presence of the above-named defendant, and after full discussion with the defendant of the contents of the Petition to Enter Plea of Guilty, and any Plea Agreement on this 15th day of May, 2013.



James L. Maher
Of Attorneys for Defendant

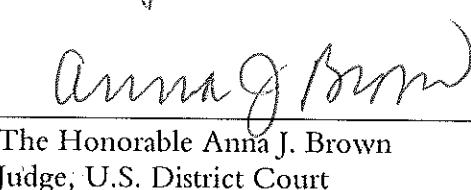
Lisa J. Ludwig
Of Attorneys for Defendant

ORDER ENTERING PLEA

I find that the defendant's plea of GUILTY has been made freely and voluntarily and not out of ignorance, fear, inadvertence, or coercion. I further find the defendant has admitted facts that prove each of the necessary elements of the crime(s) to which the defendant has pled guilty.

IT IS THEREFORE ORDERED that the defendant's plea of GUILTY be accepted and entered as requested in this Petition and as recommended in the Certificate of defendant's attorneys.

DATED this 15th day of May, 2013, in open court.



Anna J. Brown
The Honorable Anna J. Brown
Judge, U.S. District Court